

SUBCHAPTER D—EXPORT AND DOMESTIC CONSUMPTION PROGRAMS

PART 80—FRESH RUSSET POTATO DIVERSION PROGRAM

Subpart A—Fresh Russet Potato Diversion Program

Sec.

80.1 Applicability and payments.

80.2 Administration and disputes.

Subpart B [Reserved]

AUTHORITY: 7 U.S.C. 612c.

SOURCE: 66 FR 58349, Nov. 21, 2001, unless otherwise noted.

Subpart A—Fresh Russet Potato Diversion Program

§ 80.1 Applicability and payments.

Payment be received or retained with respect to diversions of 2001 Fresh Russet potatoes as allowed by the Administrator of the Agricultural Marketing Service (AMS), of the Department of Agriculture (USDA) using standards set out for consideration in the relevant FEDERAL REGISTER notice published on April 13, 2001 (66 FR 19099) except that total funding for the program may be an amount up to \$12 million. If a person has or will receive such a payment and there is a failure to comply with the conditions for payment or any condition for payment set out in the application, or that otherwise applies, all sums received by a person shall be returned with interest. No other claims for payment by producers or other persons under this part based upon their diversion of potatoes, shall be allowed except as approved by the Administrator of the Agricultural Marketing Service (AMS), of the Department of Agriculture (USDA). In all cases, the Administrator may set such other conditions for payment as may be allowable and serve the accomplishment of the goals of the program.

§ 80.2 Administration and disputes.

Administration of this part shall be under the supervision of the Deputy Administrator, Fruit and Vegetable

Programs, AMS, and implemented for AMS through the Farm Service Agency (FSA) of USDA. Disputes shall be resolved by FSA by using regulations found in 7 CFR part 780.

Subpart B [Reserved]

PART 81—PRUNE/DRIED PLUM DIVERSION PROGRAM

Sec.

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81.6 Rate of payment; total payments.

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81.16 Refunds; joint and several liability.

81.17 Death, incompetency, or disappearance.

AUTHORITY: 7 U.S.C. 612c.

SOURCE: 67 FR 11391, Mar. 14, 2002, unless otherwise noted.

§ 81.1 Applicability.

Pursuant to the authority conferred by Section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c) (Section 32), the Secretary of Agriculture will make payment to California producers who divert prune/plums by removing trees on which the fruit is produced in accordance with the terms and conditions set forth herein.

§ 81.2 Administration.

The program will be administered under the direction and supervision of the Deputy Administrator, Fruit and Vegetable Programs, Agricultural Marketing Service (AMS), United States Department of Agriculture (USDA), and will be implemented by the Prune